Remarks

A.   Status of Claims

This paper amends claims 1, 24-26, and 28-31, and cancels claims 23 and 51-57, without prejudice or disclaimer to the subject matter recited therein. Claims 1-22 and 24-50 remain in this application and are presented for reconsideration.

B.   Formal Drawings

Substitute formal drawing are submitted herewith under separate cover.

C.   Amendments to the Specification

Corrections have been made to pages 7 and 10 of the specification to correct minor typographical errors. No new matter has been added. Entry of these amendments is respectfully requested.

D.   Section 112 Rejection

Claim 54 has been objected to, and also rejected under 35 U.S.C. § 112, second paragraph. Claim 54 has been canceled, thus, mooting this rejection.

E.   Section 103 Rejections

Turning now to the rejection of claims based upon prior art, the Examiner rejects claims 1, 2, 4-10, 12, 14-24, 26, 28-32, 34, 36-50 and 54-57 under 35 U.S.C. § 103 as allegedly obvious over Chiang (WO 99/41651), in view of Fallon *et al.* (U.S. Pat. Publication 2002/0080871). In addition, Granger et al. (US 6,334,189) has been applied in combination with the teaching of Chiang and Fallon et al. to reject claims 3, 5, 11, 13, 25, 27, 33 and 35 under 35 U.S.C. § 103. In light of the above-detailed amendments and following discussion, Applicants respectfully traverse these rejections.

As explained with reference to the embodiment of FIG. 2 of the present application, a source code generating program 210 includes an encryption module 215 which encrypts the

generated source code, which, in turn, is written into buffer 220. When the encrypted source code is ready for compiling by a compiler 230, the encrypted source code is read from buffer 220 and a decryption module 235 within compiler 230 decrypts the encrypted source code.

In the embodiment of FIG. 2, compiler 230 also generates intermediate source code. In order to maintain the security of this intermediate source code, the compiler 230 includes an intermediate source code encryption module 250 which encrypts intermediate source code generated by compiler 230, which, in turn, is written into encrypted intermediate source code buffer 260. When the encrypted intermediate source code is ready for further compiling by compiler 230, a decryption module 270 within compiler 230 decrypts the encrypted intermediate source code. In either case (decrypted source code or decrypted intermediate source code), compiler 230 then generates an executable object file 240.

Thus, the compiler of the embodiment of FIG. 2 performs at least the following functions:

- decrypting encrypted source code;

- generating intermediate source code;

- encrypting the intermediate source code,

- writing; the encrypted intermediate source code to a buffer;

- reading the encrypted intermediate source code from the buffer

- decrypting the intermediate source code; and

- generating an executable/shared object library/object file.

The embodiment of FIG. 2 (including both the generation, encrypting, writing, reading, decrypting and compiling of source code, and the generation, encrypting, writing, reading, decrypting, and compiling of intermediate source code), was the subject matter of original claim

23. Original claim 23 has effectively has been rewritten in independent form by adding the limitations of claim 23 into claim 1. In addition, claim 1 has been clarified to specify that it is the compiler that performs the encrypting, storing, and decrypting functions with respect to the intermediate source code.

In contrast, neither the Chaing, Fallon *et al.* nor Granger *et al.* references, considered alone or in combination, present a method that encrypts source code, writes the encrypted source code to a buffer, decrypts the encrypted source code, and compiles the source code, with the compiling including the generation of intermediate source code, the encrypting and writing of the intermediate source code, the reading and decrypting of the intermediate source code, and the compiling of the intermediate source code. These combined functions are found only in the present invention, as recited in claim 1, as amended. Therefore, withdrawal of the rejection of claim 1 is respectfully requested.
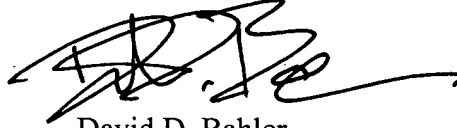
Dependent claims 2-22 and 24-44, as well as independent claims 45-50 are asserted to be patentable for the same reasons presented above with respect to claims 1.

Conclusion

Applicants believes the foregoing to be a full and complete response to the subject Office Action, and respectfully request the withdrawal of the rejection of claims 1-22 and 24-50, and the issuance of a timely Notice of Allowance for these claims.

Should the Examiner believe that a personal discussion would be helpful, he is encouraged to contact the undersigned attorney at 512/536-3005 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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Date: August 25, 2004